
Public Utilities Commission of the State of California

Public Agenda 3189

Thursday, March 15, 2007 10:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

John A. Bohn

Rachelle B. Chong

Dian M. Grueneich

Timothy Alan Simon

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

Website: <http://www.cpuc.ca.gov>

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
Monday, April 09, 2007 (San Francisco)	Thursday, March 15, 2007 (San Francisco)
Monday, April 30, 2007 (San Francisco)	Thursday, April 12, 2007 (San Francisco)
Monday, May 21, 2007 (San Francisco)	Thursday, May 03, 2007 (San Francisco)
Monday, June 04, 2007 (San Francisco)	Thursday, May 24, 2007 (San Francisco)
Monday, June 18, 2007 (San Francisco)	Thursday, June 07, 2007 (San Francisco)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 11, 35

Public Comment:

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

- | | |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1
[6254] | Res W-4630
This resolution affirms Water Division's ministerial disposition of Alisal Water Corporation - Salinas District's Advice Letter No. 107 for expansion of service area contiguous to the existing service area map.
(Exam Coughlan)
<i>Pub. Util. Code § 311 – This item was mailed for Public Comment.</i>
Agenda 3186, Item 5 1/25/2007 (Bohn);
Agenda 3187, Item 4 2/15/2007 (Peevey);
Agenda 3188, Item 3 3/1/2007 (Staff) |
| 2
[6247] | Res ALJ 176-3189
Ratification of preliminary determination of category for proceedings initiated by application. The preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269782 |
| 3 (Rev.)
[6243] | Res W-4628 - Tahoe Park Water Company.
This resolution authorizes a general rate increase producing additional annual revenue of \$140,155 or 67.8% in 2006.
<i>Pub. Util. Code § 311 – This item was mailed for Public Comment.</i>
Agenda 3185, Item 15 1/11/2007;
Agenda 3187, Item 3 2/15/2007 (Staff)
<u>03/12/2007 - This revision was not shown on the Agenda mailed to the public.</u>
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269403 |

Consent Agenda - Orders and Resolutions (continued)

4

[6324]

A05-09-018 - Telecom House Incorporated.

For a certificate of public convenience and necessity (CPCN) to provide resold local exchange service in California. This decision denies the application for expansion of its existing CPCN to authorize the provision of resold local exchange services, based on Applicant's failure to timely file required reports as required by the terms of its existing CPCN, which authorizes the provision of resold interexchange services in this state, and Applicant's failure to clarify in writing or correct discrepancies between the income stated in its annual report for 2003, 2004, and 2005 and its user fee and public program reports for this period, as directed by the Commission Telecommunications Division (TD). The Commission directs the Commission TD to take the requisite steps to revoke Applicant's existing CPCN if Applicant does not provide a satisfactory explanation of the discrepancies between the income stated in its 2003, 2004, and 2005 annual reports and its user fee and public program reports for this period, as described in the September 21, 2006 letter from the Director of TD to Applicant, or to file corrected reports and pay any additional fees and surcharges due to the Commission, within 45 days of the effective date of this order. This proceeding is closed.

(Comr Peevey - ALJ Prestidge)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3187, Item 18 2/15/2007 (Staff)

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=268704

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[6372]

A06-07-028 - Southern California Gas Company (SoCalGas).

This decision grants approval of a long-term gas transportation agreement between Taft Production Company, a subsidiary of Oil-Dri Corporation, and SoCalGas. This proceeding is closed.

(Comr Grueneich - ALJ Thomas)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3187, Item 36 2/15/2007 (Staff);

Agenda 3188, Item 12 3/1/2007 (Peevey)

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269798

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[6377]

Res M-4818

This resolution directs all water and wastewater utilities under the Commission's jurisdiction to cooperate with data and information requests from a Local Agency Formation Commission (LAFCO) issued by the LAFCO in order to meet its obligations under Government Code (GC) §56425 (Sphere of Influence Update) and GC §56430 (Municipal Service Reviews) and to notify their local LAFCO of the filing of any application for authority under Public Utility Code §§851 (property transfers), 852 (stock purchases), and 854 (mergers).

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269297

Consent Agenda - Orders and Resolutions (continued)**7**

[6384]

A99-04-024 - Southern California Edison Company (SCE).

For authority to recover capital additions to its fossil generating facilities made between January 1, 1997 and March 31, 1998 or the date of divestiture for those generating facilities divested by July 8, 1998 and related substantive and procedural relief. This decision grants SCE's Petition for Modification of D06-06-038. The decision finds that the intent of the language in the Procurement-Related Obligations Account Settlement Agreement was to dispose of any balances in the Transition Cost Balancing Account, including any rate effects of the capital additions costs, which are the subject of the limited rehearing granted by D06-06-038. This proceeding is closed.

(Comr Peevey - ALJ DeBerry)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=270059

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[6386]

R93-04-003 - Rulemaking on the Commission's own motion to govern open access to bottleneck services and establish a framework for network architecture development of dominant carrier networks.

I93-04-002 - Related matters. This decision grants Verizon California Inc.'s (Verizon) request to restructure the rates for switching, multiplexing and dark fiber to reflect how Verizon currently provisions and bills for those elements. This decision clarifies that the rate adopted for an Integrated Services Digital Network loop is in addition to the deaveraged loop rate. This decision rejects Verizon's request to place delisted elements in a separate appendix but has included footnotes to show which elements are no longer unbundled network elements.

(Comr Peevey - ALJ Duda)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E3271

Consent Agenda - Orders and Resolutions (continued)

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[6387]

A05-07-024 - Pacific Bell Telephone Company dba SBC California.

For approval of a generic proceeding to implement changes in Federal unbundling rules under Sections 251 and 252 of the Telecommunications Act of 1996. This decision grants, in part, California Association of Competitive Telephone Companies' (CALTEL) request for an order requiring AT&T California (AT&T) to comply with certain terms of D06-01-043 and D06-05-040. Specifically, the decisions cited above apply to all Competitive Local Exchange Carriers that had a dispute with AT&T regarding implementation of the Federal Communications Commission's network unbundling orders. The only exception is that carriers that negotiated their own amendments are entitled to the terms of the arbitrated amendment, except for those instances where they have negotiated different terms for a particular element. In that case, the earlier negotiated amendment governs the treatment of that element. The decision confirms that the Commission's prohibition on the assessment of nonrecurring charges for conversions that do not involve physical work applies to transitions made both before and after March 11, 2006. CALTEL's request for an award of attorneys' fees is denied.

(Comr Peevey - ALJ Jones)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269703

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[6399]

R06-07-010 - Order Instituting Rulemaking to consider the annual revenue requirement determination of the California Department of Water Resources.

This decision adopts the August 3, 2006 modifications proposed by the California Department of Water Resources (CDWR) to the three servicing orders that were approved in D02-12-070, D02-12-071 and D02-12-072 for San Diego Gas & Electric Company, Southern California Edison Company, and Pacific Gas and Electric Company, respectively. The January 23, 2003 request of CDWR to modify the servicing orders is dismissed.

(Comr Peevey - ALJ Wong)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269924

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[6401]

C06-03-023 - Pacific Bell Telephone Company dba AT&T California vs. Cbeyond Communications, LLC, Covad Communications Company, and Arrival Communications, Inc.

This decision extends the 12-month statutory deadline for resolving this proceeding until September 24, 2007.

(Comr Chong - ALJ Ryerson)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=265489

Consent Agenda - Orders and Resolutions (continued)

- 12**
[6403] **Res W-4634 - Riverview Estates Water Company (Riverview).**
This resolution authorizes a general rate increase of 45.2%, producing an additional \$3,720 of revenues relative to 2005 gross revenues. Riverview is also authorized to increase its reconnection charge and to establish a late payment charge.
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269656
- 13**
[6407] **Res E-4066 - Southern California Edison Company (SCE).**
This resolution approves SCE's request to establish a Department of Energy Litigation Memorandum Account to track incremental legal costs and proceeds associated with litigation concerning the United States Department of Energy's failure to take delivery of spent nuclear fuel from San Onofre Nuclear Generating Station. (Advice Letter 2085-E, filed January 4, 2007)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269582
- 14**
[6408] **A05-06-020 - City of Glendale.**
This decision approves two settlement agreements and authorizes an at-grade crossing of the Metrolink Main Line Tracks 1 and 2 at Flower Street in Glendale. This proceeding is closed. (Comr Grueneich - ALJ Bushey)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
This matter may be considered during the Ratesetting Deliberative Meeting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=267059
- 15**
[6409] **Res T-17074 - TDS Telecommunications Corporation as agent for Happy Valley Telephone Company, Hornitos Telephone Company and Winterhaven Telephone Company.**
This resolution approves a Commercial Mobile Radio Service Interconnection Agreement between TDS Telecommunications Company and ALLTEL Communications, pursuant to Section 252 of Telecommunications Act of 1996, and in accordance with the provisions of General Order 96-A, and Resolution ALJ-181. (Advice Letter 293, 261, and 189 respectively, filed January 29, 2007)
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=266140
- 16**
[6410] **Res T-17080 - HELPLINK-United Way Community Information Center (HELPLINK).**
This resolution grants HELPLINK's request to use the 2-1-1 dialing code for health and human services information and referral service in Solano County.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=266143

Consent Agenda - Orders and Resolutions (continued)

- 17**
[6411] **Res W-4635 - Lake Forest Water Company (Lake Forest).**
This resolution authorizes Lake Forest the recovery of \$56,479.55 in purchased water costs for an annual increase of approximately 14% for a period of three years. (Advice Letter 33-W, filed December 29, 2006)
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=266696
- 18**
[6412] **Res T-17075 - Time Warner Telecom of California (TWTC).**
This resolution approves a Traffic Termination Agreement between TWTC and North County Communications Corporation, pursuant to Section 252 of Telecommunications Act of 1996, and in accordance with the provisions of General Order 96-A, and Resolution ALJ-181. (Advice Letter 347, filed January 16, 2007)
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=266808
- 19**
[6415] **R02-01-011 - Order Instituting Rulemaking regarding the implementation of the suspension of direct access pursuant to Assembly Bill 1X and D01-09-060.**
This decision awards \$54,137.65 to The Utility Reform Network in compensation for its substantial contribution to D06-07-030 regarding the Commission's program for a "Cost Responsibility Surcharge" for Direct Access (DA) and Departing Local customers, pursuant to the suspension of DA by Assembly Bill 1X.
(Comr Peevey - ALJ Pulsifer)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=257539
- 20**
[6417] **A06-08-012 - California Department of Transportation (Caltrans).**
This decision grants the request of Caltrans to construct one at-grade and two grade-separated crossings at SR-52/Cuyamaca Interchange over one light rail transit track operated by San Diego Metropolitan Transit System in San Diego County. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=262846
- 21**
[6418] **Res T-17079 - HELPLINK-United Way Community Information Center (HELPLINK).**
This resolution grants HELPLINK the authority to use the 2-1-1 dialing code for health and human services information and referral service in Napa County.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=267289

Consent Agenda - Orders and Resolutions (continued)

- 22**
[6419] **I00-11-001 - Order Instituting Investigation into implementation of Assembly Bill 970 regarding the identification of electric transmission and distribution constraints, and related matters affecting the reliability of electric supply.**
This decision awards The Utility Reform Network \$20,139.55, the total amount requested, in compensation for its substantial contributions to D03-07-033, D04-06-013, and D05-07-040. Today's award payment will be allocated to the affected utilities based on their California-jurisdictional electric revenues for the 2005 calendar year. This proceeding is closed.
(Comr Peevey - ALJ TerKeurst)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=263103
- 23**
[6421] **A06-11-013 - First Communications, LLC (First), Acceris Management and Acquisition LLC (Acceris), and New Access Communications, LLC (New Access).**
This decision approves a certificate of public convenience and necessity to provide limited facilities-based and resold local exchange telecommunications services. The Commission also approves First's acquisition of the assets and customers of Acceris and New Access. This proceeding is closed.
(Comr Chong - ALJ O'Donnell)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=266793
- 24**
[6422] **A05-06-006 - Pacific Gas and Electric Company.**
For approval of 2006-2008 demand response programs and budgets. A05-06-008, A05-06-017 - Related matters. This decision awards \$40,231.60 to The Utility Reform Network and \$27,615.76 to Aglet Consumer Alliance for substantial contributions made to D06-03-024. The Commission denies any compensation to San Francisco Community Power because its participation in the proceeding did not arise directly and solely from its interest as a customer or customer representative.
(Comr Chong - ALJ Malcolm)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E3731
- 25**
[6424] **C05-07-022 - Utility Consumers' Action Network (UCAN) vs. Cingular Wireless.**
This decision awards UCAN \$74,913.50 in compensation for its substantial contribution to D06-10-028. This proceeding is closed.
(Comr Grueneich - ALJ Bushey)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=263060

Consent Agenda - Orders and Resolutions (continued)

- 26**
[6425] **R03-06-020 - Order Instituting Rulemaking to establish rules governing the transfer of customers from competitive local carriers exiting the local telecommunications market.**
This decision awards The Utility Reform Network \$33,180.35 in compensation for its substantial contributions to D06-10-021. The award payment will be made from the Intervenor Compensation Program Fund.
(Comr Peevey - ALJ Grau)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=262750
- 27**
[6426] **A06-09-022 - Roselia Rodriguez dba Eagle Airporter Express.**
This decision authorizes Applicant to operate as a passenger stage corporation between points in Alameda, Contra Costa, Monterey, San Francisco, and Santa Cruz Counties, on the one hand, and San Francisco International, Oakland International, San Jose International, and Monterey Peninsula Airports, on the other hand. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=267402
- 28**
[6427] **A06-11-008 - Dereje Bizuneh dba DJ's Express Shuttle.**
This decision authorizes Applicant to operate as a passenger stage corporation between points in Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Solano Counties, on the one hand, and San Francisco International, Oakland International, and San Jose International Airports, on the other hand; and to establish a zone of rate freedom. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=267407
- 29**
[6429] **A06-11-016 - BLC Management LLC (operating in California as Angles Communication Services LLC).**
This decision grants a certificate of public convenience and necessity pursuant to Public Utilities Code Section 1001 to provide resold competitive local exchange and interexchange services. This proceeding is closed.
(Comr Chong - ALJ Patrick)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=264665

Consent Agenda - Orders and Resolutions (continued)

- 30**
[6432] **A06-10-028 - Broadweave Networks of California, LLC.**
This decision grants a certificate of public convenience and necessity under Public Utilities Code § 1001 to provide resold local exchange and interexchange telecommunications services. This proceeding is closed.
(Comr Chong - ALJ Patrick)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=263848
- 31**
[6433] **A06-09-003 - PacificCorp.**
This decision grants Applicant's request to sell its Upper Beaver Hydroelectric Facility, located on the Beaver River in southwestern Utah, to the City of Beaver, Utah, pursuant to Public Utilities Code Section 851. The Commission also finds that this transaction is permissible under Public Utilities Code Sections 377.2 and 362. This proceeding is closed.
(Comr Grueneich - ALJ Prestidge)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=264931
- 32**
[6434] **Res TL - 19086**
This resolution adopts a joint settlement agreement between Harbor Breeze Corp. (Harbor Breeze) and the Consumer Protection and Safety Division that provides for payment of a \$5,000 fine by Harbor Breeze for conducting operations as a vessel common carrier without a certificate of public convenience and necessity issued by the Commission in violation of Public Utilities Code Section 1007.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=267348
- 33**
[6436] **A06-09-024 - Pacific Pipeline System LLC.**
This decision grants a 9.5% rate increase for services on its Line 63 system, effective November 1, 2006. A06-09-024 is closed.
(Comr Grueneich - ALJ Prestidge)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=265436

Consent Agenda - Orders and Resolutions (continued)

- 34**
[6437] **A06-09-020 - Southern California Edison Company (SCE).**
This decision grants the unopposed application of SCE to convey a lease of 5.84 acres of its property located on a portion of SCE's Eagle Rock-Sylmar transmission right of way in Los Angeles, California to RHC Communications, LLC (RHC) for use as a self-storage facility. If RHC wishes to utilize the site for other purposes, SCE must file a new application for approval under Section 851, obtain any additional required local permits, and undergo any additional required environmental review.
A06-09-020 is closed.
(Comr Chong - ALJ Lakritz)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=266247
- 35**
[6440] **C05-11-011 - Utility Consumers' Action Network vs. SBC Communications, Inc. dba SBC Pacific Bell Telephone Company and related entities (collectively SBC).**
C05-11-012 - Related matters. Public Utilities Code §1701.2(b) provides that adjudication cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In these two coordinated proceedings, the 12-month deadline was November 14, 2006. The 12-month deadline was extended by D06-09-037 to March 14, 2007. An additional 120-day extension order is authorized by this decision.
(Comr Peevey - ALJ Thorson)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=267185
- 36**
[6446] **A07-02-001 - City of Glendale (City).**
This decision grants the request of the City to construct a grade-separated highway-rail crossing of Fairmont Avenue over two Los Angeles County Metropolitan Transportation Authority-owned mainline tracks in Los Angeles County. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=267326
- 37**
[6447] **A06-10-003 - Pacific Gas and Electric Company (PG&E).**
This decision approves four Power Purchase Agreements submitted by PG&E. This proceeding is closed.
(Comr Grueneich - ALJ Thomas)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=270187

Consent Agenda - Orders and Resolutions (continued)

38

A06-12-006 - Pac-West Telecomm, Inc. (Pac-West).

[6448]

This decision approves the transfer of control of Pac-West to Pac-West Acquisition Company. This proceeding is closed.

(Comr Grueneich - ALJ Prestidge)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=266383

Regular Agenda

Regular Agenda - Energy Orders

39**A05-12-011 - PacifiCorp.**

[6394]

For permission to construct the Line 75 115kV conversion project pursuant to General Order 131-D. This decision requires that an Environmental Impact Report be prepared to evaluate the various routes being recommended for the southern portion of a proposed 115 kilovolt electric transmission line between the cities of Yreka and Weed in Northern California. The Final Mitigated Negative Declaration the Commission certified in D06-10-047, while good as far as it went, did not fully evaluate routes that differ from that proposed by PacifiCorp. The Commission needs this evaluation in order to select an appropriate route.

(Comr Peevey - ALJ Thomas)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269550

39a**ALTERNATE TO ITEM 6394**

[6395]

This decision approves the application of PacifiCorp for a permit to construct the approximately 1.6 mile Southern Portion of a 115 kilovolt (kV) electric transmission line, as described and conditioned below, near the town of Weed in Northern California. In D06-10-047, the Commission approved the Northern Portion of the line, which was not controversial and presented no routing options or challenges, without evidentiary hearings. The Southern Portion of the line was hotly disputed. Therefore, the Commission held evidentiary hearings in October and received briefs on that portion in November 2006. The Commission has considered the parties' positions, and find that the route proposed by PacifiCorp (known as Option 3), while not ideal, presents sufficiently few environmental challenges to allow the Commission to approve that routing as presented. However, the Commission imposes conditions intended to address the local homeowners' concerns about damage to their property, over which the line will travel.

(Comr Peevey)

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269815

Regular Agenda - Energy Orders (continued)

40 A05-12-002 - Pacific Gas and Electric Company (PG&E).

[6396] I06-03-003 - Related matters. This decision adopts, with modifications, a Settlement Agreement that resolves most issues arising from PG&E's general rate case (GRC) proceeding. The modified Settlement Agreement increases PG&E's GRC revenue requirement by \$170 million in 2007 and by \$125 million annually during 2008, 2009, and 2010. PG&E is also allowed to recover an additional \$35 million for a refueling outage at the Diablo Canyon nuclear power plant. Compared to the preceding year, this decision authorizes an increase in PG&E's GRC revenue requirement of 3.6% in 2007, 2.5% in 2008, 3.2% in 2009, and 1.7% in 2010. The increase in PG&E's overall revenue requirement is 1.4% in 2007, 0.8% in 2008, 1.0% in 2009, and 0.6% in 2010. The 2007 GRC revenue requirement authorized by this Opinion is \$4.884 billion, or \$42.635 million less than the Settlement Agreement.

(Comr Bohn - ALJ Kenney)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269645

40a ALTERNATE TO ITEM 6396

[6398] I06-03-003 - Related matters. This decision adopts a Settlement Agreement that resolves most issues arising from PG&E's GRC proceeding. The adopted Settlement Agreement increases PG&E's GRC revenue requirement by \$213 million in 2007 and by \$125 million annually during 2008, 2009, and 2010. PG&E is also allowed to recover an additional \$35 million for a refueling outage at the Diablo Canyon nuclear power plant. Compared to the preceding year, this decision authorizes an increase in PG&E's GRC revenue requirement of 4.5% in 2007, 2.5% in 2008, 3.2% in 2009, and 1.7% in 2010. The increase in PG&E's overall revenue requirement is 1.4% in 2007, 0.8% in 2008, 1.0% in 2009, and 0.6% in 2010. The settlement adopts a GRC revenue requirement of \$4.927 billion in 2007.

(Comr Bohn)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269556

Regular Agenda - Energy Orders (continued)

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[6397]

A04-12-008 - Southern California Edison Company (SCE).

This decision grants a certificate of public convenience and necessity (CPCN) to construct transmission facilities in the wind rich Tehachapi region of California. Pursuant to §§ 399.25 and 1001 of the Public Utilities Code, this decision grants SCE the authority to construct Segments 2 and 3 of the Tehachapi Renewable Transmission Project, consisting of the Antelope-Vincent (Segment 2) and the Antelope-Tehachapi (Segment 3) transmission line projects, (together the “Tehachapi-Vincent Transmission Project”) in order to ensure access to wind power development in the Tehachapi area. The facilities to be constructed pursuant to this decision will be located in Los Angeles and Kern Counties. The Commission's finding of need for this Tehachapi-Vincent Transmission Project implements a series of earlier determinations made by this Commission regarding the need to construct transmission lines to the Tehachapi region to facilitate the Renewables Portfolio Standard goals set forth in §399.11, et seq. Those Commission Decisions (D) include, without limitation, D03-07-033, D04-06-010, and D06-06-034.

(Comr Grueneich - ALJ Minkin)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269972

Regular Agenda - Energy Resolutions and Written Reports**42 Res E-4073 - San Diego Gas & Electric Company (SDG&E).**

[6430] This resolution approves with modifications SDG&E's proposal of four renewable resource procurement contracts resulting from its 2005 RPS solicitation. (Advice Letter 1845-E, filed November 20, 2006)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

43 Res G-3398 - Pacific Gas and Electric Company (PG&E).

[6431] This resolution authorizes PG&E's request for pre-approval to execute two incremental gas storage contracts to enhance core portfolio reliability during peak demand events. (Advice Letter 2801-G, filed January 24, 2007)

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=270144

Regular Agenda - Telecommunication Orders

44 R_____ - Rulemaking on the Commission's own motion into reliability standards
[6450] **for telecommunications emergency backup power systems and emergency notification**
systems pursuant to Assembly Bill 2393.

With this decision, the Commission initiates a rulemaking addressing standards for telecommunications backup power systems and emergency notification systems pursuant to Assembly Bill 2393.

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269588

Regular Agenda - Water/Sewer Orders**45**

[6359]

A05-08-021 - San Gabriel Valley Water Company, Fontana Division (San Gabriel).

I06-03-001 - Related matters. In D04-07-034, San Gabriel was authorized to increase rates subject to refund depending on our decision in this application regarding the allocation between ratepayers and shareholders of the gains from sales of property, condemnation awards, contamination awards, and inverse condemnation awards. This case finds that San Gabriel misapplied Pub. Util. Code §790 and as a consequence appropriated \$6,672,371 of money which should have been allocated to ratepayers. To rectify this misappropriation and punish for affiliate transaction violations, the Commission in this decision has reduced rates by \$2,128,800 in Test Year 2006-2007; reduced rate base as of July 17, 2004 by \$4,054,100; refunded to ratepayers \$1,481,100; and fined San Gabriel \$40,000.

A05-08-021 and I06-03-001 are closed.

(Comr Bohn - ALJ Barnett)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3188, Item 26 3/1/2007 (Staff)

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=268580

45a

[6360]

ALTERNATE TO ITEM 6359

I06-03-001 - Related matters. D04-07-034 authorized San Gabriel Valley Water Company (San Gabriel) to increase rates subject to refund depending on the allocation between ratepayers and shareholders from the sales of property, condemnation awards, and inverse condemnation awards. This decision finds that Pub. Util. Code Section 790 should not be applied with respect to the proceeds San Gabriel received related to compensation for contamination and as a consequence San Gabriel retained \$1,570,421 which should have been allocated to ratepayers. To rectify this, the alternate decision has reduced ratebase by \$1,570,421 and recomputed rates back to July 17, 2004, resulting in a minimum refund of \$719,100. Allocation of other sales and awards is deferred pending resolution in R04-09-003. San Gabriel is ordered to pay a fine of \$60,000 for affiliate transaction violations.

(Comr Bohn)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3188, Item 26a 3/1/2007 (Staff)

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=268168

Regular Agenda - Legal Division Matters

46

U.S. Supreme Court Docket #06A621

[6406]

I02-06-003 - Related matters. Cingular Wireless, LLC v. California Public Utilities Commission, U.S. Supreme Court, Docket #06A621. I02-06-003, investigation into the practices of Cingular Wireless (including Early Termination Fee).

Agenda 3188, Item 28 3/1/2007

http://www.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=269942

Regular Agenda - Legislative and Other Matters

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

47 Conference with Legal Counsel - Applications for Rehearing

[6348]

Compilation of applications for rehearing recently filed with the Commission.
Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

48 R05-06-040 - Conference with Legal Counsel - Application for Rehearing.

[6391]

Disposition of applications for rehearing of Decision D06-06-066, by the Cogeneration Association of California and the Energy Producers and Users Coalition (collectively, CAC/EPUC), and The Utility Reform Network (TURN). D06-06-066 is an interim decision. SB 1488 requires the Commission to examine its practices with respect to the requirements of the California Public Records Act (CPRA) and Public Utilities Code Section 454.5 subdivision (g), and Section 583. D06-06-066 adopts two matrices that are applicable to all information claimed to be confidential and submitted by entities subject to the Commission's jurisdiction. It also determines that confidential market sensitive information is generally confidential for about a three year period and it adopts a procedure that ensures the confidentiality of market sensitive information submitted that is available to certain parties who wish to access confidential market sensitive information.
Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.
 Agenda 3188, Item 33 3/1/2007

49 R06-05-027 - Conference with Legal Counsel - Application for Rehearing

[6420]

Disposition of application for rehearing of D06-10-050 filed by Southern California Edison. D06-10-050 continues the Commission's implementation of the Renewable Portfolio Standards Program.
Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Applications for Rehearing (continued)

50

[6423]

A06-05-033 - Conference with Legal Counsel - Application for Rehearing

Disposition of application for rehearing of D06-11-019 filed by Roseville Land Development Association. D06-11-019 authorized, under Public Utilities Code Section 854, the transfer of control of Wild Goose Storage Inc., from EnCana Corporation to Nisaka Gas through the sale of all issued and outstanding shares of Wild Goose.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Non-Federal

Consideration of possible Commission initiation of, or intervention in, litigation.

Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Initiation of Litigation - Federal

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - Federal

- 51**
[6349] **FERC Docket No. ER06-615 - Conference with Legal Counsel - Existing Litigation**
California Independent System Operator Corporation, FERC Docket No. ER06-615, also known as Market Redesign and Technology Update (MRTU).
Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.
- 52**
[6439] **FERC Docket No. RP06-614-000, Transwestern Pipeline Company - Conference with Legal Counsel - Existing Litigation**
FERC Docket No. RP06-614-000, Transwestern Pipeline Company.
Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.
- 53**
[6444] **FERC Docket No. ER07-284-000, San Diego Gas & Electric Company - Conference with Legal Counsel - Existing Litigation**
FERC Docket No. ER07-284-000, San Diego Gas & Electric Company.
Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.
- 54**
[6445] **FERC Docket Nos. EL07-37-000, et al., Californians for Renewable Energy, Inc. (CARE) v. California Public Utilities Commission, et al. - Conference with Legal counsel - Existing Litigation**
FERC Docket Nos. EL07-37-000, et al., Californians for Renewable Energy, Inc. (CARE) v. California Public Utilities Commission, et al.
Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

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[6204]

FERC Docket Nos. EL00-95 & -98,et al;9th Cir.Nos.01-71051 & 01-71934 et al;PG&E et al v AZ Electric Power Coop., et al, US Dist. Ct, Eastern District CA No.2:06CV-00559-MCE-KJM;SDG&E et al v AZ Electric Power Coop,et al,US Dist. Ct, ED CA No.206CV-0592

FERC Docket Nos. EL00-95 and EL00-98, et al.; Ninth Circuit Nos. 01-71051 and 01-71934, and related dockets; Pacific Gas and Elec. Co., et al. v. Arizona Elec. Power Coop., et al., United States District Court, Eastern District of California No. 2:06-CV-00559-MCE-KJM; and San Diego Gas and Elec. Co., et al v. Arizona Elec. Power Coop., et al. , United States District Court, Eastern District of California No. 2:06-CV-0592.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Agenda 3184, Item 69 12/14/2006 (Staff);

Agenda 3185, Item 41 1/11/2007;

Agenda 3186, Item 48 1/25/2007 (Staff);

Agenda 3187, Item 63 2/15/2007 (Staff);

Agenda 3188, Item 39 3/1/2007

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session